

ORDINANCE # 234

AN ORDINANCE AMENDING [ORDINANCE NO. 153](#) BEING AN ORDINANCE ESTABLISHING THE NUMBER OF MEMBERS, THE REPRESENTATION AND QUALIFICATION OF MEMBERS OF THE TIPPECANOE COUNTY AREA PLAN COMMISSION.

WHEREAS, prior hereto, the legislative body of Tippecanoe County. of the City of Lafayette. of the City of West Lafayette, of the Town of Battle Ground, and the Town of Dayton all in Tippecanoe County, Indiana, have adopted pursuant to [Indiana Code 36-7-4-202](#), an ordinance to participate in establishing and becoming a part of the Area Plan Commission of Tippecanoe County, Indiana, and each has further adopted pursuant to [Indiana Code 36-7-4-211](#) an ordinance establishing representation on Said Area Plan Commission as jointly determined by the legislative bodies; and

WHEREAS, there has been incorporated within Tippecanoe County, Indiana, the Town of Shadeland, who must pursuant to [Indiana Code 36-7-4-204](#) adopt the planning laws, and said Town is now entitled pursuant to [Indiana Code 36-7-4- 211 \(b\)](#) to a representative on said Area Plan Commission; and

WHEREAS, pursuant to [Indiana Code 36-7-4-211 \(a\)](#) each participating unit within the Area Plan Commission must establish the representation on the Area Plan Commission by a similar ordinance.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BATTLE GROUND. INDIANA, AS FOLLOWS:

Section 1. That Sections 1,2,3, and 4 of [Ordinance No. 153](#) are hereby amended to read as follows:

Section 1. That the representation, both as to the number of members and the qualification of members of the Area Plan Commission of Tippecanoe County, Indiana, be pursuant to [Indiana Code 36-7-4-211](#) fixed at a total of 15 members to be determined as follows:

a. Two representatives who shall be members of the Tippecanoe County Board of Commissioners, and who shall be chosen by such Board of Commissioners and whose term shall be fixed by such Board, but shall not exceed their term as such Commissioners.

b. Two representatives who shall be members of the Tippecanoe County Council, and

who shall be chosen by such County Council, and whose term shall be fixed by such Council. but shall not exceed their term on such Council.

c. A representative who shall be an elected official who shall be appointed by the Mayor of the City of Lafayette, Indiana. and whose term shall correspond to his office as such elected official.

d. One representative who shall be a member of the City Council of the City of Lafayette, Indiana, and who shall be chosen by such City Council, and whose term shall be fixed by such

e. A representative who shall be an elected official who shall be nominated by the mayor of the City of West Lafayette, Indiana, subject to Council approval of the appointment, and whose term shall correspond to his office as such elected official.

f. One representative who shall be a member of the Town Board of the Town of Battle Ground, Indiana,
and who shall be chosen by such Town Board, and whose term shall be fixed by such Town Board, but shall not exceed his term on such Town Board.

g. One representative who shall be a member of the Town Council of the Town of Clarks Hill, Indiana and who shall be chosen by such Town Council, and whose term shall be fixed by such Town Council, but shall not exceed his or her term on such Town Council. The initial term shall begin on July 1, 1995, or the month of the adoption of this provision by the last adopting member unit, whichever is latest.

(Replaced by [Ordinance #329](#), adopted 7/3/1995.)

 { *view archive* }

Section 1g, before replacement:

g. One representative who shall be a member of the Town Board of the Town of Shadeland, Indiana, and who shall be chosen by such Town Board, and whose term shall be fixed by such Town Board, but shall not exceed his term on such Town Board. The initial term shall begin on July 1, 1986, or the month of the adoption of this ordinance by the last adopting member unit. whichever is latest.

h. One representative who shall be a member of the Town Board of the Town of Dayton, Indiana, and who shall be chosen by such Town Board, and whose term shall be fixed by such Town Board, but shall not exceed his term on such Town Board.

i. Two representatives who shall be citizen members holding no other elected or appointed municipal, county or state office, who shall be appointed by the County

Board of Commissioners which appointees having heretofore been appointed shall continue in their present term which terminates December 31, 1995, and whose successor shall thereafter be appointed for a term of two years.

(Replaced by [Ordinance #329](#), adopted 7/3/1995.)

 { *view archive* }

Section li, before replacement:

i. Two representatives who shall be citizen members holding no other elected or appointed Municipal, County or State Office who shall be appointed by the Tippecanoe County Board of County Commissioners which appointees having heretofore been appointed shall continue in their present term which terminates December 31, 1987, and whose successor shall thereafter be appointed for a term of two years.

j. One representative, who shall be a citizen member, holding no other elected or appointed municipal, county or state office, who shall be appointed by the Mayor of the City of West Lafayette, Indiana which appointee, having heretofore been appointed, shall continue the present term which terminates December 31, 1995, and whose successors shall thereafter be appointed for a term of two years.

(Replaced by [Ordinance #329](#), adopted 7/3/1995.)

 { *view archive* }

Section lj, before replacement:

j. One representative who shall be a citizen member holding no other elected or appointed Municipal, County or State Office who shall be appointed by the Mayor of the City of West Lafayette, Indiana, which appointee has heretofore been appointed shall continue the present term which terminates December 31, 1987, and whose successor shall thereafter be appointed for a term of two years.

k. Two representatives who shall be citizen members holding no other elected or appointed municipal, county or state office, who shall be appointed by the Mayor of the City of Lafayette, which appointees, having heretofore been appointed, shall continue in their present term which terminates December 31, 1996, and whose successor shall thereafter be appointed for a term of two years.

(Replaced by [Ordinance #329](#), adopted 7/3/1995.)

 { *view archive* }

Section 1k, before replacement:

k. Two representatives who shall be citizen members holding no other elected or appointed Municipal, County or State Office who shall be appointed by the Mayor of the City of Lafayette, Indiana, which appointees having heretofore been appointed shall continue in their present term which terminates December 31, 1987 and whose successor shall thereafter be appointed for a term of two years.

SECTION 2. In the event any City or Town named herein is not, on the effective date of this ordinance, a participant by ordinance in the Area Plan Commission of Tippecanoe County, or subsequently withdraws from said participation, then the representative or representatives, be they Mayor, City Councilmen, Town Board Member, or citizen appointment, shall not be entitled to membership on the Plan Commission and the total membership of the Commission shall be reduced thereby.

Section 3. In the event any governmental unit, who has made an appointment to the Area Plan Commission of Tippecanoe County under this ordinance should amend this ordinance so as to eliminate or alter their particular representation on said Area Plan Commission, without the adoption of a similar ordinance by all other participating governmental units, the representation by such governmental unit shall terminate, and for failure to then be in compliance with Indiana Code 36-7-4-211 (B), the membership of such governmental unit in the Area Plan Commission shall be considered terminated. Thereafter the Area Plan Commission shall provide no further services of any nature, including but not limited to services in zoning, subdivision, board of zoning appeal functions, hearings, recommendations, and enforcement to such governmental unit.

Section 4. This ordinance shall be effective on July 1, 1986, or such later date as the governmental units representing all members shall have adopted this ordinance.

PASSED on the 3rd day of March, 1986.

Hugh Ralstin

Presiding Officer

Daniel T. Kelly

Trustee

Dennis W Pettit

Trustee

Scott Frankenberger

Trustee

Jean L. McGroarty

Trustee

ATTEST:

Judith E. Marks

Judith E. Marks, Clerk-Treasurer